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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 000938

SIPDIS

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FOR NEA/ARP, INL/HSTC, AND G/TIP

E.O. 12958: DECL: 06/17/2027
TAGS: [PHUM](#) [PGOV](#) [ELAB](#) [BG](#) [RP](#) [KU](#) [TIP](#)
SUBJECT: KUWAITIS DEFENSIVE ABOUT TIER 3 TIP RANKING,
THOUGH SOME ACKNOWLEDGE PROBLEMS

REF: STATE 81053

Classified By: Ambassador Richard LeBaron for reasons 1.4(b) and (d).

11. (SBU) Summary: The demotion of Kuwait to Tier 3 in the 2007 TIP report garnered a great deal of attention. Kuwaiti officials criticized the TIP report as inaccurate, but pledged to continue working with the U.S. on anti-TIP efforts. Officials and a number of columnists attacked the U.S. human rights record, especially on the Guantanamo Bay detention center. However, some government officials and media reports also acknowledged the need for more government action to address the problems faced by foreign workers in Kuwait. The two Kuwaiti NGOs that have been somewhat active in addressing the rights of expatriate workers welcomed the conclusions of the report. They noted that the term "trafficking" sounds extremely harsh in Arabic, which had added to the defensiveness of Kuwaitis, even among some who might otherwise be sympathetic to calls for improvements to the situation of foreign workers. Sending country embassies embraced the tier three ranking, noting that their citizens continue to face abuses. End Summary.

Official Reactions: Criticism, Continued Cooperation

12. (SBU) Embassy staff presented advanced copies of the Kuwait TIP report and 60-day action plan to the MFA, Ministry of Social Affairs and Labor (MOSAL), Ministry of Interior, Ministry of Islamic Affairs, and Ministry of Justice. They reiterated that there are laws in Kuwait to ensure workers rights and that workers can go to the courts if they face any problems. They also criticized the report for taking exceptional cases as the rule. Despite their disappointment with the demotion to Tier 3, they expressed their willingness to cooperate with the USG on the issue.

13. (U) Minister of Social Affairs and Labor Shaykh Sabah Al-Khalid Al-Sabah, just back from an international labor conference in Geneva, told reporters that the ILO had not expressed any criticism of Kuwait's record on treatment of laborers. (Note: The ILO sent a representative to Kuwait in February to do a study on Kuwait's sponsorship system. The report concluded that the sponsorship system produces widespread exploitation of workers. End Note.) Foreign Minister Shaykh Dr. Mohammad Al-Sabah said the report lacked factual evidence. However, he added that workers in Kuwait face many problems. He stated that the government is serious about facing these challenges and would soon adopt measures and laws to improve the situation of foreign workers. Ministers said the issue was on the June 17 Cabinet meeting agenda, though they did not release a statement after the meeting about whether they discussed the issue.

Parliament: Don't Throw Stones

14. (SBU) Parliament Speaker Jassem Al-Khorafi grabbed the biggest headlines on the TIP report. He told the press the TIP report was laughable coming from a country that keeps detainees without charge or trial at Guantanamo. He quipped that those who live in glass houses should not throw stones. MP Walid Tabtaba'i, one of the most prominent parliamentary critics of the U.S., excoriated the U.S. in a June 16 article in Al-Watan for its human rights violations in secret prisons, in Iraq, and in its exploitation of Latin American workers. While insisting Kuwait was "not in need of moral advice from the Americans about human rights," he conceded Kuwait needs to "review and correct" its policies toward foreign workers.

Press

15. (U) Press reactions to the report were critical overall. The most common criticism was of U.S. hypocrisy in criticizing human rights in Kuwait while perpetrating human rights abuses in Guantanamo, Abu Ghraib, secret prisons in Europe, and Iraq. Columnist Khalid Al-Enezi came up with the most creative response by connecting the report to a recent statement by Kuwait's defense minister that Kuwait would not allow the U.S. to use Kuwait's territory to launch an attack on Iran. Al-Enezi speculated that if Kuwait changed its position the 60-day TIP review would grant Kuwait a better ranking. The Embassy held a press conference on June 13 to discuss the report. Reporters focused special attention on the possibility of sanctions, with several reporters noting that the sanctions would have little effect on Kuwait.

16. (U) However, a number of reports noted that Kuwait needs

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to do much more to protect the rights of expatriate workers. A June 15 story in the Al-Qabas Arabic daily noted its own report from March, in which it warned of the potential findings of the TIP report. It accused MOSAL of inaction despite the fact that Kuwait is "drowning in marginalized workers." The story went on to say that visas and work permits are openly traded but the government has not clamped down.

NGOs

16. (SBU) The two NGOs most active on expatriate labor issues supported the conclusions of the report. Ali Al-Baghli, the acting director of the Kuwait Human Rights Society, told PolOff on June 16 that he supported the conclusions of the TIP report. He noted that the term "trafficking" was not well understood in Kuwaiti society. The term conjures up images of eighteenth century slave trading, he said, thereby causing many Kuwaitis to reject the report. He himself found the term trafficking inflammatory and preferred exploitation. PolOff asked if the Human Rights Society would consider making anti-TIP an item on its agenda. Al-Baghli responded that the Society had no set agenda, but would continue to make press statements about the rights of foreign workers.

17. (C) Faisal Al-Masoud of the Social Work Society also expressed his support of the report in a June 17 meeting. He said he would use his connections with various media outlets to encourage news coverage over the next few weeks of worker abuse in order to put pressure on the government to act. Al-Masoud agreed that the report has some shock value, but he also emphasized that TIP will be prevalent in Kuwait until there is widespread popular interest in the issue.

Sending Country Embassies

18. (C) Bangladesh Labor Attache Shahriar Siddiky told

PolOff he was pleased with the report. He said the situation in Kuwait is not getting better for Bangladeshis and pointed to a case he is currently pursuing on behalf of 200 Bangladeshi workers who say they have not been paid in months. Siddiky said he has faced bureaucratic hurdles and is pessimistic about the chances of a positive resolution of the case. Filipino Labor Attache Leopoldo De Jesus told PolOff he supported Kuwait's Tier 3 ranking. He reported that the Filipino embassy has been receiving phone calls from Filipinas who say they are victims of forced prostitution but are unable to give directions to where they are located.

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